

## REMARKS

Reconsideration and allowance are respectfully requested in view of the following remarks.

By this amendment, various claims are amended. No new matter has been added. Claims 1-16 remain pending in the present application.

### Claim Objection

Claims 1-5 and 11-13 are objected to on the basis of informality.

The foregoing amendment in claim 1 addresses the Examiner's concern.

In view of the foregoing, it is respectfully requested that the objection to claims 1-5 and 11-13 be withdrawn.

### Claims Rejections - 35 U.S.C. § 101

Claims 1-5 and 11-13 are rejected under 35 U.S.C. § 101 on the basis that the claimed invention is directed to non-statutory subject matter.

For clarification, Applicants' claim 1 is amended to recite a system for automatically installing, verifying and configuring functionalities, stored in installation, verification and/or configuration files, for system components connected in a distributed network, wherein the system comprises "a system planning tool for creating, checking and configuring the installation, verification and/or configuration files for respective system components that are network nodes in the distributed network," and "the system components, when configured, form the system." According to Applicants' claim 1, the system transforms the system components that are network nodes in the distributed network by installing, verifying and configuring

functionalities in them. Accordingly, the claimed system is directed to statutory subject matter.

In view of the foregoing, it is respectfully requested that the rejection of 1-5 and 11-13 under 35 U.S.C. § 101 be withdrawn.

**Claim Rejection Under 35 U.S.C. § 102**

Claims 1-16 are rejected under 35 U.S.C. §102(b) as being allegedly described by Gonzalez et al. (U.S. Patent Application Publication No. 2003/0200149 A1, hereinafter "Gonzalez"). The rejection is respectfully traversed.

Applicants' exemplary embodiments relate to a system and method for automatic installation, verification and configuration of functionalities in system components of a distributed network, such as a distributed automation system. The system or method focuses on distributed functionality on several nodes, in which rules are specified to calculate the set of software packages for the different computer nodes, which are the run-time environment topology. In this context, a distributed system includes a set of system components which are related to each other. The system components comprise distributed system nodes (e.g., computers) which are connected via a network. A system node can run an operating system, application software, network connectivity and embed the functional parts of the distributed system. The different system nodes with different functionality and different connectivity can be dependent of each other.

Applicants' exemplary embodiments provide a procedure to setup the system from empty computers to an installed, configured and operative system. The procedure automates the installation and includes a system check for prerequisites.

Prerequisite checking logs the capability of the system nodes and proposes to add functionality to be able to run the system software of each particular node. Following the outlined procedure, the distributed system is able to run. As such, the planning options for the human planner is guided by an underlying knowledge based planning of the domain topology, which consists of rules and dependencies of the system software. In summary in our application we are

According to Applicants' exemplary embodiments, an automated procedure sets up and configures a whole system. Software packages which are dependent on one another can thus be installed together, distributed over the various system components, which eliminates conflicts and time-consuming configuration operations within the individual system components. By using the automated procedure, expert knowledge of the system from a human operator is not required.

Applicants' claim 1 recites a combination including a system planning tool for creating, checking and configuring the installation, verification and/or configuration files for respective system components that are network nodes in the distributed network, wherein the system planning tool includes:

- a user interface for transmitting selected system options to a planning logic unit and to a data management unit,

- the planning logic unit being configured for using a data and rule manager integrated in the data management unit to produce installation, verification and/or configuration plans from the system options, the installation, verification and/or configuration plans for further processing in the data management unit, and

- the data management unit being configured for using an integrated data generator to generate and configure software packages being dependent on each other, the software packages comprising installation, verification and/or configuration files from the system options in the user interface, system information stored in the planning database, and the installation, verification and/or configuration plans produced by the planning logic unit, and for ascertaining installation steps for transmitting functionalities stored in the installation, verification and/or configuration files of the software packages to system components[.]

Applicants' claim 1 combination is not disclosed in the Gonzalez reference.

Gonzalez discloses a network installation package (NIP) manager 112 which generates customized installation instructions for installing a network, based on a list of devices to be included in the network and a library of installation guidelines. The installation instructions identify multiple software packages, multiple documentation packages, and configuration parameters for devices to be included in the network, based on the list of devices and the library of installation guidelines. The customized installation instructions, the multiple software packages, the multiple documentation packages, and the configuration parameters are stored in a network installation package to be to a customer for use in installing the network.

Gonzalez does not disclose being configured for using a data and rule manager integrated in the data management unit to produce installation, verification and/or configuration plans from the system options, the installation, verification and/or configuration plans for further processing in the data management unit, as recited in Applicants' claim 1. Instead, according to Gonzalez, the installation package is generated based on a list of devices and a library of installation guidelines in one step.

Furthermore, Gonzalez does not disclose a data management unit being configured for using an integrated data generator to generate and configure software packages being dependent on each other, the software packages comprising installation, verification and/or configuration files from the system options in the user interface, system information stored in the planning database, and the installation, verification and/or configuration plans produced by the planning logic unit, and for ascertaining installation steps for transmitting functionalities stored in the installation,

verification and/or configuration files of the software packages to system components, as recited in Applicants' claim 1. In Gonzalez, the installation package is generated depending on hardware and/or software products that are selected by a customer. Gonzalez does not disclose that the installation package generated for each of the hardware is dependent upon the installation package generated for other selected hardware.

In view of the foregoing, Applicants' claim 1 is patentable. The remaining pending claims are patentable because of their dependency from claim 1, or because they include distinguishing features similar as those of claim 1.

### **CONCLUSION**

From the foregoing, further and favorable action in the form of a Notice of Allowance is respectfully requested and such action is earnestly solicited.

In the event that there are any questions concerning this amendment, or the application in general, the Examiner is respectfully requested to telephone the undersigned so that prosecution of present application may be expedited.

Respectfully submitted,

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